

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CASEY RAFEAL TYLER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:15CV483
	)	
CHARLES LOCKLEAR, et al.,	)	
	)	
Defendants.	)	

**ORDER**

On July 2, 2015, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 3, 4.) Plaintiff timely filed objections (Doc. 5) to the Recommendation.

This court has appropriately reviewed the portions of the Recommendation to which objections were made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

**IT IS THEREFORE ORDERED** that this action be, and is hereby, dismissed without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms, correcting the defects set out in the Order and Recommendation. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 5th day of October, 2015.

*William L. Ostun, Jr.*

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United States District Judge